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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHARLES DAVID HILL,

Defendant.

NO. 04-CR-40052 JST

**STIPULATION AND ~~PROPOSED~~ ORDER
REGARDING DEADLINE FOR
GOVERNMENT'S OPPOSITION TO
DEFENDANT'S MOTION TO VACATE
UNDER 28 U.S.C. § 2255**

On August 8, 2016, the Court issued an Order denying the government's motion to stay the proceedings in the above-referenced matter and ordering the government to file its opposition to the defendant's pending motion to vacate his sentence by August 22, 2016. *See* Order, Dkt. # 108. The Court also ordered the defendant to file any reply by August 31, 2016. *Id.* At the time of the Court's Order, undersigned counsel for the government was in the midst of preparing for a trial in a multi-defendant wiretap drug trafficking case. That trial was scheduled to commence on August 30, 2016, before the Honorable Edward J. Davila in San Jose, however it now appears that the trial is more likely to begin on September 7, 2016. In any event, because undersigned counsel has been in trial

preparations for the last month in another matter, the government requests an additional seven (7) days in order to finalize its opposition to the defendant's pending motion. Attorney Peter Goodman, counsel for the defendant, concurs with the government's request. As such, the parties jointly stipulate and request that the government's deadline to file its opposition be extended from August 22, 2016, to August 29, 2016. The parties further stipulate and request that the defendant's deadline to file a reply also be extended by seven (7) days from August 31, 2016, to September 7, 2016. This would be the first extension of the deadlines referenced herein. The parties hereby stipulate to the following:

1. The Government shall file its opposition to the defendant's motion to vacate his sentence by August 29, 2016.
2. The defendant, Charles David Hill, shall file his reply, if any, by September 7, 2016.

DATED: August 22, 2016

Respectfully submitted,

BRIAN J. STRETCH
United States Attorney

/s/ Robert Goodman
ROBERT GOODMAN
Attorney for Defendant

/s/ William J. Gullotta
WILLIAM J. GULLOTTA
Assistant United States Attorney

~~[PROPOSED]~~ ORDER

With the agreement of the parties, and for the reasons stated in the parties' stipulation, the Court enters this Order. The Court orders, pursuant to the parties' stipulation, the following:

1. The Government shall file its opposition to the defendant's motion to vacate his sentence by August 29, 2016.
2. The defendant, Charles David Hill, shall file his reply, if any, by September 7, 2016.

IT IS SO ORDERED.

DATED: August 22, 2016

